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*Attorneys for Plaintiff FX Solutions, Inc.*

KEVIN WASHINGTON,

Plaintiff,

vs.

MATTHEW BRENT GOETTSCHE,

Defendant.

FX SOLUTIONS, INC.

Plaintiff,

vs.

MATTHEW BRENT GOETTSCHE,

Defendant.

Cause No. CV-20-2-BU-BMM-KLD

**PLAINTIFF FX SOLUTIONS, INC.'S  
OBJECTIONS TO MAGISTRATE'S  
FINDINGS AND  
RECOMMENDATIONS**

Cause No. CV-20-03-BU-BMM-KLD

COMES NOW FX Solutions, Inc., by and through its counsel, Kris A. McLean, and pursuant to 28 U.S.C. §636 respectfully states its objections to the Magistrate Judge's Findings and Recommendations filed on June 3, 2020.

**Plaintiff FX Solutions, Inc. Should Not be Stayed Pending the Conclusion of**

**Plaintiff Kevin Washington's Arbitration Proceeding**

In the Court's findings and recommendations the Magistrate Judge determined "Consistent with the Court's order consolidating the two cases, and in the interest of avoiding piecemeal litigation, this consolidated action should be stayed pending the outcome of arbitration." (Doc. 74 pg. 18-19) Since the Magistrate Judge made this finding and recommendation, Plaintiff Washington has decided not to challenge the arbitrability of his substantive claims against Defendant Goettsche and to proceed with litigating his substantive claims against Defendant Goettsche in arbitration. (Doc. 51 pg. 2) This likely means that Plaintiff Washington's substantive claims will not be back before this Court unless and until an arbitration judgement is rendered and must be enforced by this Court.

Meanwhile, FX Solutions, Inc.'s separate and distinct claims against defendant Goettsche languish in limbo. Enforcement of an arbitration judgment does not involve similar legal facts and legal claims with FX Solutions, Inc.'s complaint that could generate piecemeal litigation and strain judicial resources. For these reasons, Plaintiff FX Solutions, Inc. respectfully objects to the Magistrate Judge's finding and recommendation that litigation of Plaintiff FX Solutions, Inc.'s complaint should be stayed pending the arbitration of Plaintiff Kevin Washington's claims against Defendant Goettsche.

DATED this 17<sup>th</sup> day of June, 2020.

/s/ Kris A. McLean  
Kris A. McLean  
Kris A. McLean Law Firm, PLLC  
Attorney for Plaintiff  
FX Solutions, Inc.

### **CERTIFICATE OF COMPLIANCE**

Pursuant to Local Rule 7.1(d)(2)(E), I certify that **Plaintiff's Objections to Magistrate's Findings and Recommendations** is drafted with proportionately spaced Times New Roman 14 points typeface, is double-spaced, except where citation requires otherwise and in footnotes; and the word count, calculated by Microsoft Word for Office 365, is **269** words long, excluding Caption, Certificate of Service, and Certificate of Compliance.

DATED this 17th<sup>th</sup> day of June 2020.

/s/ Kris A. McLean  
Kris A. McLean  
Kris A. McLean Law Firm, PLLC  
Attorney for Plaintiff  
FX Solutions, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 17th day of June 2020, the foregoing document was served on the following individuals by ECF filing:

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